

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

\_\_\_\_\_  
RICHARD CASTELLINI

Plaintiff,

v.

HARLEY G. LAPPIN (in his official  
capacity as Director of the Bureau of  
Prisons),

Defendant.  
\_\_\_\_\_

COMMONWEALTH OF MASSACHUSETTS )  
SUFFOLK COUNTY )

)  
)  
)  
)  
) **AFFIDAVIT OF SHERYL A.**  
) **KOVAL**  
)

) Case No. 05-cv-10220-PBS  
)  
)  
)

Sheryl A. Koval, being duly sworn, deposes and says:

1. I am an associate at Goodwin Procter LLP and one of the counsel of record to Plaintiff, Richard Castellini ("Mr. Castellini"), in this matter. I am a member in good standing of the Bar of the Commonwealth of Massachusetts.

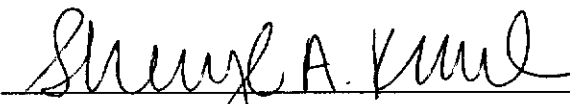
2. On February 3, 2005, pursuant to Fed. R. Civ. P. 4(i) I caused three (3) copies of the Verified Complaint, Richard Castellini's Motion For Temporary Restraining Order And/Or Preliminary Injunction, Memorandum Of Law In Support Of Richard Castellini's Motion For Temporary Restraining Order And/Or Preliminary Injunction, and Summons directed to Harley G. Lappen to be sent by certified mail (together, the "Certified Mail Packages") to Harley G. Lappen, Director of the Bureau of Prisons, Michael J. Sullivan, U.S. Attorney, and the Office of the Attorney General of the United States, respectively, as set forth in the cover letter attached hereto as Exhibit A.

3. Attached as Exhibit B hereto is the original Summons directed to Harley G. Lappen, Director of the Bureau of Prisons, 320 First Street, N.W., Washington, D.C. 20534.

4. Attached as Exhibit C hereto is the original Domestic Return Receipt of the Certified Mail Package sent to Harley G. Lappen, Director Bureau of Prisons, 320 First Street, N.W., Washington, D.C., 20534, indicating receipt of the Certified Mail Package on February 9, 2005.

5. Attached as Exhibit D hereto is a photocopy of the Certified Mail Receipt and a Track & Confirm statement from the United States Postal Service website, [www.usps.com](http://www.usps.com), indicating that the Certified Mail Package sent to Office of the Attorney General of the United States, Department of Justice, Room B-103, 950 Pennsylvania Avenue, N.W., Washington D.C., 20530, was received on February 9, 2005, at 4:42 a.m.

6. On February 3, 2005 I caused to have the Certified Mail Package hand delivered to Michael J. Sullivan, U.S. Attorney, United States Courthouse, Suite 9200, One Courthouse Way, Boston, MA 02210.

  
Sheryl A. Koval

Sworn to before me on this 2nd day of March, 2005:

  
Notary Public

My Commission expires: 10/01/2010

TAB A

Sheryl A. Koval  
617.570.1147  
skoval@  
goodwinprocter.com

Goodwin Procter LLP  
Counsellors at Law  
Exchange Place  
Boston, MA 02109  
T: 617.570.1000  
F: 617.523.1231

February 3, 2005

**BY CERTIFIED MAIL**

Office of the Attorney General  
of the United States  
Department of Justice  
Room B-103  
950 Pennsylvania Avenue, N.W.  
Washington, D.C. 20530

**BY HAND**

Michael J. Sullivan  
U.S. Attorney  
United States Courthouse  
Suite 9200  
1 Courthouse Way  
Boston, MA 02210

**BY CERTIFIED MAIL**

Harley G. Lappin  
Director  
Bureau of Prisons  
320 First Street N.W.  
Washington, D.C. 20534

**Re: Richard Castellini v. Harley G. Lappin (in his official  
capacity as Director of the Bureau of Prisons)  
(D. Mass. Civ. No. 05-10220-PBS)**

Dear Sirs:

Pursuant to Fed. R. Civ. P. 4(i), enclosed find: (i) Verified Complaint; (ii) Summons directed to Harley G. Lappen; (iii) Richard Castellini's Motion For Temporary Restraining Order And/Or Preliminary Injunction; and (iv) Memorandum Of Law In Support Of Richard Castellini's Motion For Temporary Restraining Order And/Or Preliminary Injunction.

Very truly yours,

  
Sheryl A. Koval

Enclosures

cc: James C. Rehnquist, Esq. (w/o encls.)  
David S. Schumacher, Esq. (w/o encls.)

TAB B

UNITED STATES DISTRICT COURT

District of  
MASSACHUSETTS

RICHARD CASTELLINI,  
Plaintiff,

V.

HARLEY G. LAPPIN (in his official  
capacity as Director of the Bureau  
of Prisons),  
Defendant.

SUMMONS IN A CIVIL ACTION

05 CV 10220 PBS  
CASE NUMBER:

TO: (Name and address of Defendant)

Harley G. Lappin  
Director of the Bureau of Prisons  
320 First Street, N.W.  
Washington, D.C. 20534

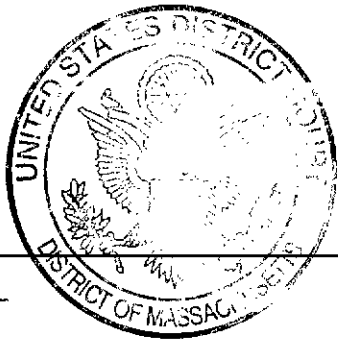
**YOU ARE HEREBY SUMMONED** and required to serve on PLAINTIFF'S ATTORNEY (name and address)

James C. Rehnquist  
David S. Schumacher  
Sheryl A. Koval  
GOODWIN PROCTER LLP  
Exchange Place  
Boston, Massachusetts 02109

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

TONY ANASTAS

CLERK



February 3, 2005

DATE

(By) DEPUTY CLERK

TAB C


SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p>A. Signature <u>X J. Dixon</u> <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>	
<p>1. Article Addressed to:</p> <p>Harley G. Lappin Director Bureau of Prisons 320 First Street N.W. Washington, D.C. 20534</p>		<p>B. Received by (Printed Name)</p>	<p>C. Date of Delivery <u>2/4/05</u></p>
		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, enter delivery address below:</p>	
		<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail  <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>	
		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>2. Article Number 7001 1940 0005 3574 1809 (transfer from service label)</p>			
PS Form 3811, August 2001		Domestic Return Receipt 2ACPRI-03-Z-0985	



TAB D

U.S. Postal Service  
**CERTIFIED MAIL RECEIPT**  
 (Domestic Mail Only; No Insurance Coverage Provided)

**OFFICIAL USE**

Postage	\$	 F. Kelleher \$202
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

Sent To Office of the Attorney General  
of the United States

Street, Apt. No.,  
 or PO Box No. Department of Justice  
Room B-103, 950 Penn. Ave. NW  
 City, State, ZIP+4 Washington, D.C. 20530

PS Form 3800, January 2001

See Reverse for Instructions

2001 1940 0005 3574 1793



## Track & Confirm

### Current Status

You entered 7001 1940 0005 3574 1793

Your item was delivered at 4:42 am on February 09, 2005 in WASHINGTON, DC 20530.

[Shipment Details >](#)

### Notification Options

▶ [Track & Confirm by email](#) [What is this?](#)

[Go >](#)

### Track & Confirm

Enter label number:

[Track & Confirm FAQs](#)



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Preserving the Trust

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